

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

MERCHANT CAPITAL, LLC, and)	
NEW SUNSHINE, LLC)	
)	
Plaintiffs,)	
)	
v.)	CASE NO. 1:13-cv-0873 JMS-DML
)	
MELANIA MARKS SKINCARE, LLC)	
)	
Defendant.)	

**DEFENDANT’S NOTICE OF AUTOMATIC INITIAL ENLARGEMENT OF TIME
TO RESPOND TO AMENDED COMPLAINT FOLLOWING REMOVAL**

Defendant, Melania Marks Skincare, LLC (“Defendant”), by counsel and pursuant to S.D. Ind. L.R 6-1(b), hereby provides notice to the Court of its initial, automatic extension of time to respond to the Amended Complaint filed by Plaintiffs, Merchant Capital, LLC and New Sunshine, LLC (collectively, “Plaintiffs”), to and including July 3, 2013. In support hereof, Defendant states as follows:

1. Plaintiffs filed their Amended Complaint in state court on May 14, 2013.
2. Upon information and belief, Defendant represents to the Court that it was served with a copy of the Amended Complaint by certified mail on or about May 15, 2013.
3. This action was removed to this Court on May 29, 2013.
4. Pursuant to Federal Rule of Civil Procedure 81(c)(2), addressing removed actions, Defendant’s responsive deadline to Plaintiffs’ Amended Complaint is June 5, 2013.

5. This deadline has not been previously extended.¹

6. This initial extension provided by S.D. Ind. L.R. 6-1(b) is for 28 days and does not interfere with any Case Management Plan or other case deadline.

7. On June 5, 2013, undersigned counsel conferred with the Plaintiffs' counsel by telephone regarding this extension, and Plaintiffs' counsel indicated that he had no objection to the same.

8. Pursuant to this notice, Defendant's deadline to respond to the Amended Complaint is now July 3, 2013.

Respectfully submitted,

/s/ Bryan S. Strawbridge

Norman T. Funk, Atty. No. 7021-49
Libby Y. Goodknight, Atty. No. 20880-49
Bryan S. Strawbridge, Atty. No. 29076-49
KRIEG DeVAULT LLP
One Indiana Square, Suite 2800
Indianapolis, Indiana 46204-2079
Telephone: (317) 636-4341
Fax: (317) 636-1507
nfunk@kdlegal.com
lgoodknight@kdlegal.com
bstrawbridge@kdlegal.com

Counsel for Melania Marks Skincare, LLC

¹ Defendant received a prior automatic enlargement of time to respond to the Amended Complaint while this matter was still in state court; however, such date was vitiated and superseded by removal pursuant to Fed. R. Civ. P. 81(c)(2).

CERTIFICATE OF SERVICE

I hereby certify that on June 5, 2013, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Kevin C. Tyra
Jerry M. Padgett
THE TYRA LAW FIRM, P.C.
kevin.tyra@tyralaw.net
jerry.padgett@tyralaw.net

/s/ Bryan S. Strawbridge
Bryan S. Strawbridge

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